

REMARKS

Status of the Application

Claims 1-10 are pending in the present application. Claims 6 and 10 are objected to due to various informalities. Claims 8 and 9 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 8 and 9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Neyens et al. (U.S. 5,517,034). Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura (U.S. 4,780,376) in view of Neyens. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura in view of Neyens and further in view of Research Disclosure 308117. Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura in view of Neyens and further in view of Bradley (U.S. 5,043,991).

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, Applicant is amending claims 1, 7, 8 and 10.

Preliminary Matters

The Examiner has withdrawn the drawing objection and acknowledges acceptance of the drawings in the present application.

Allowable Subject Matter

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for indicating that claim 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, however, Applicant would respectfully request that any rewriting be held in abeyance until the Examiner has reconsidered the allowability of the remaining claims based on the arguments presented below.

Claim Objections

Claims 6 and 10 are objected to due to various informalities.

Applicant has cured the informalities noted by the Examiner .

§112 Rejections

A. Claims 6 and 10 are objected to due to various informalities. Claims 8 and 9 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner alleges that Applicant has not pointed out where the new claims are supported, nor does there appear to be a written description of the claim limitations in the application as filed for claims 8 and 9.

Applicant submits that page 15, lines 7-23 and page 16, lines 1-20 disclose the support for claims 8 and 9. Page 15 relates the relationship regarding the intensity (and rate of change thereof) for multiple stimulating lights. Page 16 discloses that a change in the intensity of the

stimulated emission corresponds to a change in the wavelength of the stimulating light and that a change in intensity of the stimulated emission can be suppressed by the use of a plurality of stimulating lights operating at different wavelengths.

Therefore, the written description rejection should be withdrawn as sufficient support for claims 8 and 9 may be found in the originally filed specification.

B. Claims 8 and 9 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Specifically, the Examiner alleges that the rate of change in units of %/nm in new claims 8 and 9 is undefined since there exists a plurality of different wavelengths.

Applicant submits that claims 8 and 9 satisfy 35 U.S.C. § 112, second paragraph. Claim 3 recites a synthesized stimulating light source including the stimulating light of different wavelengths...so that the stimulating light of different wavelengths are simultaneously projected on the same position on the radiation image converter panel. Claims 8 and 9 recite that the rate of change of intensity of the stimuable emission is suppressed by cancellation when the plurality of stimulating light projection means fluctuate in wavelength. The rate of change of intensity in units of %/nm refers to the *stimuable emission*, not to the plurality of stimulating light projection means. It is therefore irrelevant that the rate of change of intensity in units of %/nm does not refer to a specific wavelength of the plurality of different wavelengths are recited in claims 3, 8 and 9 because the claimed rate of change of intensity is not descriptive of the plurality of different wavelengths. The rejection should be withdrawn.

Prior Art Rejections

A. *Claims 1, 2 and 4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Neyens et al. (U.S. 5,517,034).*

B. *Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura (U.S. 4,780,376) in view of Neyens.*

C. *Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura in view of Neyens and further in view of Bradley (U.S. 5,043,991).*

Claim 1, as amended, recites in part, “and wherein the wavelength of the stimuable light fluctuates in a manner that would cause a change in the intensity of the stimuable emission.” The Examiner acknowledges that Neyens fails to teach or suggest that the wavelength of the stimuable light fluctuates in a manner that would cause a change in the intensity of the stimuable emission, and that the combination of Nakamura and Neyens fails to teach or suggest the same. Therefore, Applicant’s arguments will be restricted to the §103(a) rejection of unpatentability over Nakamura in view of Neyens and further in view of Bradley.

The Examiner argues that Bradley discloses “that even the best stabilized lasers have a drift ... over the normal range of operating temperatures”, citing col. 1, line 64 and col. 2, line 2 for support. However, Bradley fails to disclose that this wavelength drift results in an intensity change of the stimuable emission, as claimed in claim 1.

Further, per the telephone interview with the Examiner on July 27, 2006, the Examiner is examining FIG. 1 in Neyens from the standpoint of the rate of change of the intensity of the stimulated emission at a single wavelength that is within a wavelength range (the wavelength corresponding to the peak of the graph in FIG. 1). Based on this interpretation, Neyens fails to teach or suggest that a rate of change of the intensity of the stimulated emission to a given

change of the wavelength of the stimulating light is not larger than 1.0%/nm and is not smaller than -1.0%/nm, as Neyens fails to teach or suggest a change in the wavelength. The Examiner argues that Bradley teaches wavelength drift, but as previously noted, Bradley fails to teach the relationship between a change in intensity of the stimuable emission and the change in wavelength. Therefore, the combination of Nakamura, Neyens and Bradley fails to result in the claimed invention. Claim 1 should be patentable over the applied art.

Claims 2, 4-6 and 7 should be patentable at least by virtue of their dependency from amended claim 1.

D. Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura in view of Neyens and further in view of Research Disclosure 308117.

Claim 3 is dependent on amended claim 1. The Research Disclosure fails to cure the defects regarding amended claim 1 noted above in Nakamura, Neyens and Bradley. Claim 3 should be patentable at least by virtue of its dependency from claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 10/714,851

Attorney Docket No. Q78507

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


Susan P. Pan
Registration No. 41,239

Date: August 14, 2006